

PTO-1390 (Rev. 09-2006)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 6-86-177(14429/us/02)
INTERNATIONAL APPLICATION NO. PCT/IL2005/000203		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/589,170
INTERNATIONAL FILING DATE February 17, 2005		PRIORITY DATE CLAIMED February 19, 2004
TITLE OF INVENTION Photoreactive Compound Specifically Binding to Calcium Binding Proteins		
APPLICANT(S) FOR DO/EO/US Shoshan-Bar-Matz		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). **(2 pages)**
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FROM: (PLEASE PRINT) PHONE () 0-06-177

Kevin D. McCarthy
Roach Brown McCarthy & Gruber, P.C.
420 Main St. - 1620 Liberty Bldg.
Buffalo, NY 14202

TO: (PLEASE PRINT) PHONE ()

Mail Stop PCT
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P.O. Box 1450
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U. S. Patent and Trademark Office

Inventor:

Shoshan-Bar-Matz et al.

Title:

Photoreactive Compound Specifically
Binding to Calcium Binding Proteins

I.A. Filed:

February 17, 2005

Serial No.:

10/589,170

Examiner:

N/A

Art Unit:

N/A

Submission of Declaration

Cover letter:

(1 page)

Transmittal Letter:

(3 pages)

Declaration:

(2 pages)

Form 2038 for \$65:

(1 page)

Our Ref. No.:

0-06-177 (14429/US/02)

Postcard:

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/589,170		INTERNATIONAL APPLICATION NO. PCT/IL 2005/000203		ATTORNEY'S DOCKET NUMBER 0-06-177 (M429/US/02)	
20. Other items or information: Submission of Declaration cover letter (1 page); Form 2038 for \$65, postcard					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$	0
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0				\$	0
All other situations.....\$200					
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b))				\$	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400				\$	0
All other situations.....\$500					
TOTAL OF 21, 22 and 23 =				\$	0
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) in an electronic medium or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	0
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	130
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 50	\$	0
Independent claims	- 3 =		x \$200	\$	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	0
TOTAL OF ABOVE CALCULATIONS =				\$	130
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/3.				\$	65
SUBTOTAL =				\$	65
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	0
TOTAL NATIONAL FEE =				\$	65
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	0
TOTAL FEES ENCLOSED =				\$	65
				Amount to be refunded:	\$
				Amount to be charged	\$

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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038. The PTO-2038 should only be mailed or faxed to the USPTO. However, when paying the basic national fee, the PTO-2038 may NOT be faxed to the USPTO.

ADVISORY: If filing by EFS-Web, do NOT attach the PTO-2038 form as a PDF along with your EFS-Web submission. Please be advised that this is not recommended and by doing so your credit card information may be displayed via PAIR. To protect your information, it is recommended paying fees online by using the electronic payment method.

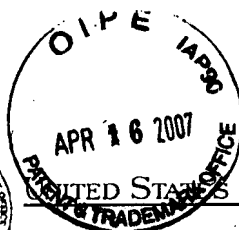
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Kevin D. McCarthy
Roach Brawn McCarthy & Gruber, P.C.
420 Main Street, 1620 Liberty Building
Buffalo, New York 14202

Kevin D. McCarthy
SIGNATURE
Kevin D. McCarthy
NAME
35,278
REGISTRATION NUMBER

PCT



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/589,170	Varda Shoshan-Bar-Matz	0-06-177

INTERNATIONAL APPLICATION NO.

PCT/IL05/00203

Kevin D. McCarthy
 Roach Brown McCarthy & Gruber
 420 Main Street
 1620 Liberty Building
 Buffalo, NY 14202

I.A. FILING DATE	PRIORITY DATE
02/17/2005	02/19/2004

CONFIRMATION NO. 6954

371 FORMALITIES LETTER



OC000000023249848

Date Mailed: 04/05/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 08/11/2006
- Copy of the International Search Report filed on 08/11/2006
- Preliminary Amendments filed on 08/11/2006
- Oath or Declaration filed on 08/11/2006
- Request for Immediate Examination filed on 08/11/2006
- U.S. Basic National Fees filed on 08/11/2006
- Priority Documents filed on 08/11/2006
- Specification filed on 08/11/2006
- Claims filed on 08/11/2006
- Abstracts filed on 08/11/2006
- Drawings filed on 08/11/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
 - claim 35 is missing from pre amdt. clm 35 in original text is a multi clm also 6 indep. clms instead of 7 a totle of 38 clms instead of 39

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

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For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/589,170	PCT/IL05/00203	0-06-177

Express Mail Certificate

I hereby confirm that I, Kevin D. McCarthy, have deposited this correspondence along with other documents with the U.S. Postal Service by express mail on the date listed below to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. The express mail label is no. EB 251142652 US

Kevin D. McCarthy
Kevin D. McCarthy
Date April 3, 2007

Patent 0-06-177 (14429/US/02)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Shoshan-Bar-Matz et al.
Serial no.: 10/589,170
I.A. Filed: February 17, 2005
Title: PHOTOREACTIVE COMPOUND SPECIFICALLY BINDING TO
CALCIUM BINDING PROTEINS
Examiner: N/A
Art Unit: N/A

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
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Dear Sir/Madam:

Submission of Declaration

We have yet to receive a Notification of Missing Requirements under 35 U.S.C.
371 in the United States Designated/Elected Office.

To obtain the earliest 371(c) date, we enclose an executed two page declaration, a
three page transmittal letter, a form 2038 for \$65; and a postcard.

It appears these documents are timely submitted.

Respectfully submitted

Kevin D. McCarthy
Kevin D. McCarthy
Reg. No. 35,278

Roach, Brown, McCarthy & Gruber, P.C.
1620 Liberty Building - 420 Main Street
Buffalo, New York 14202